



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Gary Allen Carson

Serial No.: 10/087,389

Filed: February 27, 2002

Confirmation No.: 6276

Atty. File No.: 43758-00217

For: TEMPERATURE CONTROL PADS
WITH INTEGRAL ELECTRODES

) Group Art Unit: 3762

) Examiner: Scott M. Getzow

**AMENDMENT AND RESPONSE
AFTER FINAL**

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT this correspondence or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: 05/20/04.

MARSH FISCHMANN & BREYFOGLE LLP

By:

Lynn Pennywell

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

MAY 27 2004

TECHNOLOGY CENTER R3700

Dear Sir:

Applicant submits this Amendment and Response to address the Office Action mailed January 26, 2004. Enclosed herewith is a check in the amount of \$86.00 in payment of the fees due in connection with the change of 1 dependent claim to an independent claim. Please charge any deficiency or credit any excess to Deposit Account No. 50-1419.

Also, enclosed herewith is a Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.91(c); Statement Under 37 C.F.R. 1.97(e) Accompanying Information Disclosure Statement; PTO Form 1449 and 1 cited reference.

Additionally, we have enclosed a petition for a one-month extension of time, thereby extending the time period for response from April 26, 2004 to May 26, 2004, as well as a check in the amount of \$110.00 as the fee for such extension. Please credit any overpayment or charge any underpayment to Deposit Account No. 50-1419.

Please amend Claims 1, 9, and 36-39, and cancel Claim 35, as set forth below:

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Gary Allen Carson

Docket No.

43758-00217

Serial No.
10/087,389Filing Date
February 27, 2002Examiner
Scott M. GetzowGroup Art Unit
3762

Invention:

TEMPERATURE CONTROL PADS WITH INTEGRAL ELECTRODES

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	39 -	40 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	4 -	3 =	1	x \$86.00	\$86.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$86.00

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MAY 27 2004

- No additional fee is required for amendment.
- Please charge Deposit Account No. in the amount of
- A check in the amount of \$86.00 to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1419
- Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.

Thomas R. Marsh
Signature

Dated: 5/20/04

Thomas R. Marsh
Registration No. 31,039
Marsh Fischmann & Breyfogle LLP
3151 South Vaughn Way, Suite 411
Aurora, CO 80014
303-338-0997

I certify that this document and fee is being deposited on
May 20, 2004 with the U.S. Postal Service as first
class mail under 37C.F.R. 1.8 and is addressed to the
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Lynn Pennywell

Typed or Printed Name of Person Mailing Correspondence

CC: